



## U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

April 22, 2025

**VIA ECF**

Hon. Gary Stein  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

# MEMO ENDORSED

**Re: Cheng v. Department of Justice, et al., 23 Civ. 3983 (AT) (GS)**

Dear Judge Stein,

This Office represents the defendants, the Department of Justice and its component, the Federal Bureau of Investigation ("FBI") (collectively, the "Government"), in this action brought by plaintiff Sheng-Wen Cheng ("Plaintiff") pursuant to the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"). The Government writes to request a stay of this litigation for sixty days to determine whether Plaintiff provides a current address. On March 21, the Court indicated that "this action may be dismissed for failure to prosecute pursuant to Rule 41" if "Plaintiff fails to promptly provide the Court with an updated address." Dkt. No. 101. In its April 2 letter to the Court, the Government advised the Court that Plaintiff was removed from the United States to Taiwan and that ICE does not have a current address for Plaintiff in Taiwan. Dkt. No. 105. The Government respectfully submits that a stay is warranted under the circumstances for two reasons: first, as the Court indicated in its March 21 Order, this action may be dismissed for failure to prosecute if Plaintiff fails to provide an updated address; and second, without a current address, the Government would not know where to send any non-exempt documents that would be responsive to the FOIA request at issue.

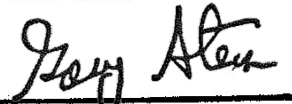
FBI respectfully proposes to submit a status letter in sixty days.

Thank you for your attention to this matter.

Application granted. All proceedings in this matter shall be stayed for 60 days to allow Plaintiff to provide an updated address for the purposes of service. If Plaintiff fails to promptly provide the Court with an updated address, this action may be dismissed for failure to prosecute pursuant to Rule 41 of the Federal Rules of Civil Procedure.

Date: April 25, 2025  
New York, NY

**SO ORDERED:**

  
HON. GARY STEIN  
UNITED STATES MAGISTRATE JUDGE

Respectfully submitted,

JAY CLAYTON  
United States Attorney for the  
Southern District of New York

By: /s/ Ilan Stein

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